

**IN THE UNITED STATE DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

EQUAL EMPLOYMENT OPPORTUNITY )  
COMMISSION, )

Plaintiff, )

v. )

Civil Action No. 09-CV-602-GKF-FHM

ABERCROMBIE & FITCH STORES, Inc., )  
an Ohio Corporation d/b/a AbercrombieKids, )

Defendant. )

**PLAINTIFF EEOC'S FIRST MOTION *IN LIMINE***

Plaintiff, Equal Employment Opportunity Commission ("EEOC"), respectfully moves  
this Court for an order instructing Defendant and its counsel as set forth below:

That Defendant and its attorneys of record shall not make any inquiry, refer to, introduce any evidence of, rely upon, or offer any testimony concerning the satisfaction of EEOC's administrative prerequisites to filing suit, including the EEOC investigation and conciliation of Samantha Elauf's Charge of Discrimination upon which this lawsuit is based.

That Defendant, in particular, is hereby precluded from calling the following witnesses:

- (a) an EEOC Representative to testify about conciliation efforts
- (b) EEOC Investigator Marilyn Koshiway; and
- (c) Razi Hashmi.

This Motion is supported by the accompanying Memorandum of Law.

Wherefore, Plaintiff respectfully requests that this Court grant EEOC's First Motion *In Limine*.

Dated: April 15, 2011

Respectfully submitted,

/s/ Barbara A Seely  
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